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SPHERION ATLANTIC ENTERPRISES LLC

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

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| PHILIP J. MARTINET, Individually, On Behalf of All Others Similarly Situated, and on Behalf of the General Public,<br><br>Plaintiff,<br><br>v.<br><br>SPHERION ATLANTIC ENTERPRISES LLC, a Delaware Limited Liability Company; and DOES 1 through 50, inclusive,<br><br>Defendant. | Case No. 07 CV 2178 W (AJB)<br><br>**DECLARATION OF ALFREDO ECHEVERRIA IN SUPPORT OF DEFENDANT'S MOTION FOR A PROTECTIVE ORDER UNDER FEDERAL RULE OF CIVIL PROCEDURE 26(c)**<br><br>**Date:** **May 16, 2008**<br>**Time:** **10:00am**<br>**Courtroom:** **A – First Floor**<br>**Judge:** **Hon. Anthony J. Battaglia** |

I, Alfredo Echeverria, declare:

1. I am an HR analysis and reporting manager at Spherion Atlantic Enterprises LLC. I have personal knowledge of the facts set forth in this declaration and if called as a witness, I would and could testify to the truth of these matters.

2. In my capacity as HR analysis and reporting manager, my current duties include human resources reporting and resource metrics. I am generally familiar with Spherion Atlantic's operations and have familiarity with the companies human resources systems and databases. I have performed queries of Spherion's data related to Spherion's clientele in California and am generally familiar with the results of those queries. I am also familiar with the number of branches, divisions, franchisees, and licensees conducting business in California.

3. Spherion is a staffing company that recruits employees for job assignments in United States (including California) and Canada. Spherion's clients include businesses, government agencies, non-profit entities, and other organizations. Spherion serves many different industries including: retail, construction, legal services, manufacturing, pharmaceuticals, commercial and residential real estate, insurance, mortgage and loan, automotive, plumbing, financial services and banking, securities, consumer credit, engineering, waste collection, education, public utilities, airline, cable and internet, media, business services, packaging and shipping, food services, beverage and wine, bottling, computers and electronics, entertainment and motion picture, transportation, travel and hotel, agriculture, marketing and advertising, telecommunications, publishing, internet, information technology, charitable and religious, military, county and city government, and numerous state agencies.

4. There are currently over 600 local Spherion offices throughout the United States. Over the last four years there have been between 45 and 58 local offices in California. Among these offices there are a number of Spherion-operated branch offices throughout the state, client-specific offices catering to a particular client, and offices run by franchisees and licensees. In California, there are currently 9 Spherion licensees (in Bakersfield, Fresno, Goleta, Monterey, Oxnard, Palm Desert, Salinas, Stockton, and Visalia) and 2 Spherion franchises (in Chico and Redding).

5. Spherion serves over 3000 clients with over 15,000 locations on thousands of projects and assignments. Spherion's clients range from large fortune 500 companies to small local (mom-and-pop) businesses. Spherion's clients also include government agencies, charitable and religious organizations, and non-profit entities.

6. Each year Spherion recruits thousands of individuals in California for assignments at thousands of different locations with thousands of different clients. Spherion employees have thousands of different job titles and perform thousands of different job duties. Many assignments have short duration. There is a high attrition rate due to the nature of Spherion's business.

7. My understanding is that the plaintiff in this case has asked for the full name, address, telephone number, job title and description, and dates of employment for all California employees from September 2003 to the present. Compiling an accurate and comprehensive list of this information would be an incredibly difficult task. To my knowledge a task like this has never been done before at Spherion. During the time period requested (September 2003 to the present), Spherion has maintained multiple employee database systems, which would contain the requested information. Some of these systems are no longer in operation and are archived. Spherion has acquired several companies during the requested time period and not all data from these companies was immediately transitioned over to Spherion's systems, which would create further difficulties. In addition, some of the requested information, particularly employee job descriptions, would have to be manually generated for thousands of employees as this information is not contained in any of the human resources databases/systems that Spherion has used since September 2003. Providing dates of employment would also be a significant challenge as employees for Spherion may have multiple periods of employment and would in some cases require obtaining data from multiple sources.

8. Because Spherion has never generated a list like the one requested, it is difficult to estimate the amount of time it would take to gather this information and produce it in an accurate and usable format. Such a task would be beyond my ability to complete and Spherion would need to hire an information technology consultant to assist with this project. I would estimate that it would take five weeks of a consultant's time (roughly 200 hours) to work on this project. A qualified consultant in this area would cost approximately $100 per hour. I would further estimate that such a project would take at least two weeks of my time and at least one other Spherion employee's time at approximately $50 per hour. Total cost for the project would be approximately $28,000 ([200 hours x $ per hour] + [160 hours x $50 per hour]), but could easily exceed this amount if difficulties were encountered with the data. This estimate does not include the time it would take for an individual or group of individuals to separately look up job descriptions for the thousands of California employees working at thousands of different

locations throughout the state. To the extent this could even be done, it would take hundreds if not thousands of hours.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on April 16, 2008, in Fort Lauderdale, Florida.

Alfredo Echeverria